



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: APRIL 11, 2005

*III. 2*  
ITEM NUMBER:

SUBJECT: PARCEL MAP PM-05-109  
3184 – 3188 PULLMAN STREET AND 3189 – 3193 RED HILL AVENUE

DATE: MARCH 31, 2005

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714) 754-5136

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## **DESCRIPTION**

The applicant requests approval of a parcel map to subdivide an industrial property into two lots for condominium purposes, and a minor conditional use permit for shared driveway access between the lots.


## **APPLICANT**

Rene Varga of DRC is the authorized agent for the property owner, BKM Development Company, LLC.

## **RECOMMENDATION**

Approve by adoption of Planning Commission resolution, subject to conditions.

  
WENDY SHIH  
Associate Planner

  
R. MICHAEL ROBINSON, AICP  
Asst. Development Services Director

### PLANNING APPLICATION SUMMARY

Location: 3184 – 3188 Pullman St. and Application: PM-05-109  
3189 – 3193 Red Hill Ave.

Request: Parcel map to subdivide an industrial property into two lots for condominium purposes, and a minor conditional use permit for shared driveway access between the lots

#### SUBJECT PROPERTY:

Zone: MP (Industrial Park)  
 General Plan: Industrial Park  
 Lot Dimensions: Irregular  
 Lot Area: 11 acres (before subdivision)

#### SURROUNDING PROPERTY:

North: Surrounding properties  
 South: are all industrially zoned  
 East: MP (Industrial Park)  
 West: and developed.

Existing Development: Six (6) industrial condominium lots and one (1) common lot approved under PM-02-195.

### DEVELOPMENT STANDARD COMPARISON

Dev. Standard                      Required/Allowed                      Proposed/Provided

<u>Lot Size:</u>		<u>Lot A</u>	<u>Lot B</u>
Lot Width	120 ft.	285 ft. min.	392 ft. min.
Lot Area	30,000 sq.ft.	289,179 sq.ft.	306,371 sq.ft.
Floor Area Ratio:			
(Moderate Traffic)	.30	.45 (266,369 sq.ft.)*	
Setbacks:			
Street Setbacks (Pullman and Red Hill)	20 ft.	30 ft. min.	60 ft. min.
Rear (south property line)	0 ft.	65 ft.	80 ft.
Parking:			
Standard	Lot A/Lot B 282/341	Number and location of handicap stalls will be provided per Building Division requirements	
Handicapped	7/8		
TOTAL:	289/349	304	366

Final Action:	Planning Commission
Environmental determination:	Exempt, Class 15

\* Legal, nonconforming. Condition no. 1 requires that a LUR be recorded to hold both lots together for purposes of calculating FAR.

## **BACKGROUND**

The subject site is developed with six industrial/office buildings, totaling 266,369 square feet. On November 12, 2002, Planning Commission approved Parcel Map PM-02-195 to allow subdivision for six industrial condominium lots with one common lot for shared parking and access.

The applicant proposes to demolish approximately 5,000 square feet of building A to create two separate buildings and requests a parcel map to subdivide the property into two lots for airspace condominium purposes, and a minor conditional use permit for shared driveway access between the lots. Approval of the parcel map will allow the four buildings on Parcel B to be further subdivided for individual ownership. A minor conditional use permit is required because shared access is proposed.

## **ANALYSIS**

### *Parcel Map/Shared Access*

Since the industrial/office development was originally designed to function as a single project, staff is concerned with the proposed subdivision because there is no common ownership to ensure continued access and consistent maintenance. As a result, staff has included a condition requiring recordation of conditions, covenants, and restrictions (CC&Rs) prior to recordation of the final map to ensure shared access between the lots, as well as to ensure common maintenance for the landscaping, driveways and parking spaces.

The parcel map satisfies all applicable Code requirements. Adequate parking will be provided within each parcel for all buildings. The existing project has a floor area ratio (FAR) of .45, which is legal, nonconforming (.30 maximum FAR allowed under current requirements). Since the lot split would increase the nonconformity of Lot B (.49 FAR), staff included a condition to require recordation of a land use restriction requiring the two lots be considered as one for purposes of calculating FAR, as well as including this provision in the CC&Rs.

It is staff's opinion that approval of the applicant's request, subject to the recommended conditions of approval, will provide an overall upgrade of the properties and will not intensify existing uses on the properties. Approval of the parcel map will provide additional ownership opportunities for business owners. Approval of the minor conditional use permit, with the appropriate conditions, will retain the project's shared ingress, egress and on-site circulation. The proposal complies with the State Subdivision Map Act.

### *Address Assignment*

There are currently individual address numerals for each building. Since one of the buildings will be split into two detached structures (Parcels 6 and 7), an additional

address numeral would be necessary to identify the buildings. The Planning staff typically reviews address assignments and notifies all affected agencies (i.e. U.S. Post Office, Southern California Edison, County Tax Assessor) of the approved address numerals.

Planning Division's address policy for commercial or industrial developments is to allow individual address numerals for each building, if the range of numbers is consistent with other properties in the vicinity and agreeable to the Fire and Police Departments. Individual tenant spaces are assigned unit letters (unit A, unit B, etc.). In this case, the applicant requests individual address numerals (rather than letters) for each unit within the buildings on Parcel B since the buildings will be divided for individual ownership (see attached plans showing proposed addressing options).

Staff has reviewed the plans with both the Fire and Police departments and is of the opinion that the assignment of individual address numbers would not be consistent with the existing address pattern within the City, and approval of individual numerals for each unit would constitute a grant of special privilege inconsistent with the limitation upon other industrial properties in the City. The proposed addresses could also cause delays in emergency response. Memos from the Fire Marshal and Crime Prevention Specialist are attached for your reference.

Staff is recommending a standard condition of approval (no. 6) requiring that address assignment be approved by the Planning Division prior to recordation of the parcel map.

### **ALTERNATIVE**

If the map and minor conditional use permit were denied, the buildings could be leased and occupied, but would be limited to a single ownership.

### **ENVIRONMENTAL DETERMINATION**

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures, and has been found to be exempt from CEQA.

### **CONCLUSION**

Staff does not anticipate that the subdivision will generate any significant land use impacts, provided the conditions of approval and code requirements are complied with. Approval of the parcel map will allow the legal subdivision of the existing development into two separate lots for condominium purposes and two common lots for parking and access. Approval of the minor conditional use permit will allow retention of the shared ingress, egress, and on-site circulation between the lots. Individual address numerals for the units could cause delays in emergency response.

Attachments:       Draft PC Resolution  
                          Exhibit "A" – Draft Findings  
                          Exhibit "B" – Draft Conditions of Approval  
                          Applicant's Project Justification Form  
                          Location Map  
                          Proposed Parcel Map  
                          Proposed Addressing – Plan A  
                          Proposed Addressing – Plan B  
                          Fire Department Memo  
                          Police Department Memo

cc:     Dep. City Mgr. - Dev. Svs. Director  
          Sr. Deputy City Attorney  
          City Engineer  
          Fire Protection Analyst  
          Staff (4)  
          File (2)

Rene Varga  
DRC  
8175 E. Kaiser Ave.  
Anaheim, CA 92808

Steve Christie  
BKM Development Company, LLC  
1945 Placentia Avenue  
Costa Mesa, CA 92627

File: 041105PM05109	Date: 033005	Time: 1015 a.m.
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**RESOLUTION NO. 05-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA APPROVING PARCEL MAP PM-05-  
109**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY  
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Rene Varga of DRC, authorized agent for BKM Development Company, LLC, requesting approval of a parcel map to subdivide a property into two lots for condominium purposes, and a minor conditional use permit for shared driveway access between the lots located at 3184 – 3188 Pullman Street and 3189 – 3193 Red Hill Avenue in an MP (Industrial Park) zone;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on April 11, 2005;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", subject to the conditions in Exhibit "B," the Planning Commission hereby **APPROVES** Parcel Map PM-05-109 with respect to the property described above.

BE IT FURTHER RESOLVED that the Planning Commission does hereby find and determine the adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Parcel Map PM-05-109 and upon the applicant's compliance with each and all of the conditions contained in Exhibit "B."

Any approval granted by this resolution shall be subject to review, modification, or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

**PASSED AND ADOPTED this 11<sup>th</sup> day of April, 2005.**

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Chair, Costa Mesa Planning Commission

STATE OF CALIFORNIA    )  
  )ss  
COUNTY OF ORANGE    )

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on April 11, 2005, by the following votes:

AYES:       COMMISSIONERS

NOES:       COMMISSIONERS

ABSENT:     COMMISSIONERS

ABSTAIN:    COMMISSIONERS

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Secretary, Costa Mesa  
Planning Commission

**EXHIBIT "A"****FINDINGS**

- A. The information presented substantially complies with Section 13-29(g)(2) of the Costa Mesa Municipal Code in that the proposed use is substantially compatible with developments in the same general area and would not be materially detrimental to other properties within the area. Granting the minor conditional use permit, as conditioned, will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the shared driveway access would ensure the existing shared access for the entire industrial development, even with the proposed subdivision of the property. Granting the minor conditional use permit, as conditioned, will not allow a use, density or intensity which is not in accordance with the general plan designation for the property.
- B. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
  - a. The proposed development and use is compatible and harmonious with uses both on-site as well as those on surrounding properties.
  - b. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
  - c. The project is consistent with the General Plan.
  - d. The planning application is for a project-specific case and does not establish a precedent for future development.
  - e. The cumulative effects of all planning applications have been considered.
- C. The creation of the subdivision (two parcels for condominium purposes) and related improvements is consistent with the General Plan and the Zoning Code.
- D. The proposed use of the subdivision is for industrial and limited office uses, which is compatible with the objectives, policies, general plan land use designation, and programs specified in the City of Costa Mesa 2000 General Plan.
- E. The subject property is physically suitable to accommodate Parcel Map PM-05-109 in terms of type, design, and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- F. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- G. The subdivision will not unreasonably interfere with the free and complete



exercise of the public entity and/or public utility rights-of-way and/or easements within the subdivision.

- H. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).
- I. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- J. The project is exempt from Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

**EXHIBIT "B"****CONDITIONS OF APPROVAL**

- PIng. 1. The two parcels shall be considered as one for purposes of calculating FAR allowance. A land use restriction (holding both parcels together as one for purposes of calculating FAR) executed by and between the applicant and the City of Costa Mesa shall be recorded prior to map recordation, to inform future property owners of the restrictions contained in this condition. Applicant shall submit to the Planning Division a copy of the legal description for the property, and either a lot book report or current title report identifying the current legal property owner so that the document may be prepared.
2. The CC&Rs shall include a requirement that the two parcels be considered as one for purposes of calculating FAR allowance.
3. The CC&Rs and articles of incorporation and bylaws shall be reviewed and approved by the Planning Division prior to recordation. The CC&Rs shall include a provision as to use and maintenance of all parking spaces, driveways and landscaping. A copy of the recorded CC&Rs shall be submitted prior to map recordation.
4. Demolition of building "A" shall be completed/finaled prior to final map recordation.
5. The CC&Rs shall include a provision as to the common use and maintenance of parking spaces, driveways and landscaping for both lots.
6. Address assignment shall be requested from and approved by the Planning Division prior to map recordation. The approved address of individual units, suites, buildings, etc., shall be blueprinted on the site plan and on all floor plans in the working drawings for future site improvements. Individual address numerals for the units shall not be permitted.
- Eng. 7. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.

**CITY OF COSTA MESA PLANNING APPLICATION****PROJECT DESCRIPTION AND JUSTIFICATION**

①.

**Project Address:**

3189, 3191, 3193 REDHILL AVE

②.

**Fully describe your request:**

Approval of Tentative Parcel Map No 2005-109.

**3. Justification:**


- A. For a Conditional Use Permit or Minor Conditional Use Permit: On a separate sheet, describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.
- B. For a variance or Administrative Adjustment: On a separate sheet, describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

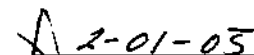
**4. This project is: (check where appropriate)**

- ☐ In a flood zone. ☐ In the Redevelopment Area.
- ☐ Subject to future street widening. ☐ In a Specific Plan Area.
- ☐ Includes a drive-through facility.  
(Special notice requirements, pursuant to GC Section 65091 (d))

**5. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST reproduced on the rear of this page and have determined the project:**

- ☐ Is not included in the publication indicated above.
- ☐ Is included in the publication indicated above.

 \_\_\_\_\_  
Signature

 \_\_\_\_\_  
Date

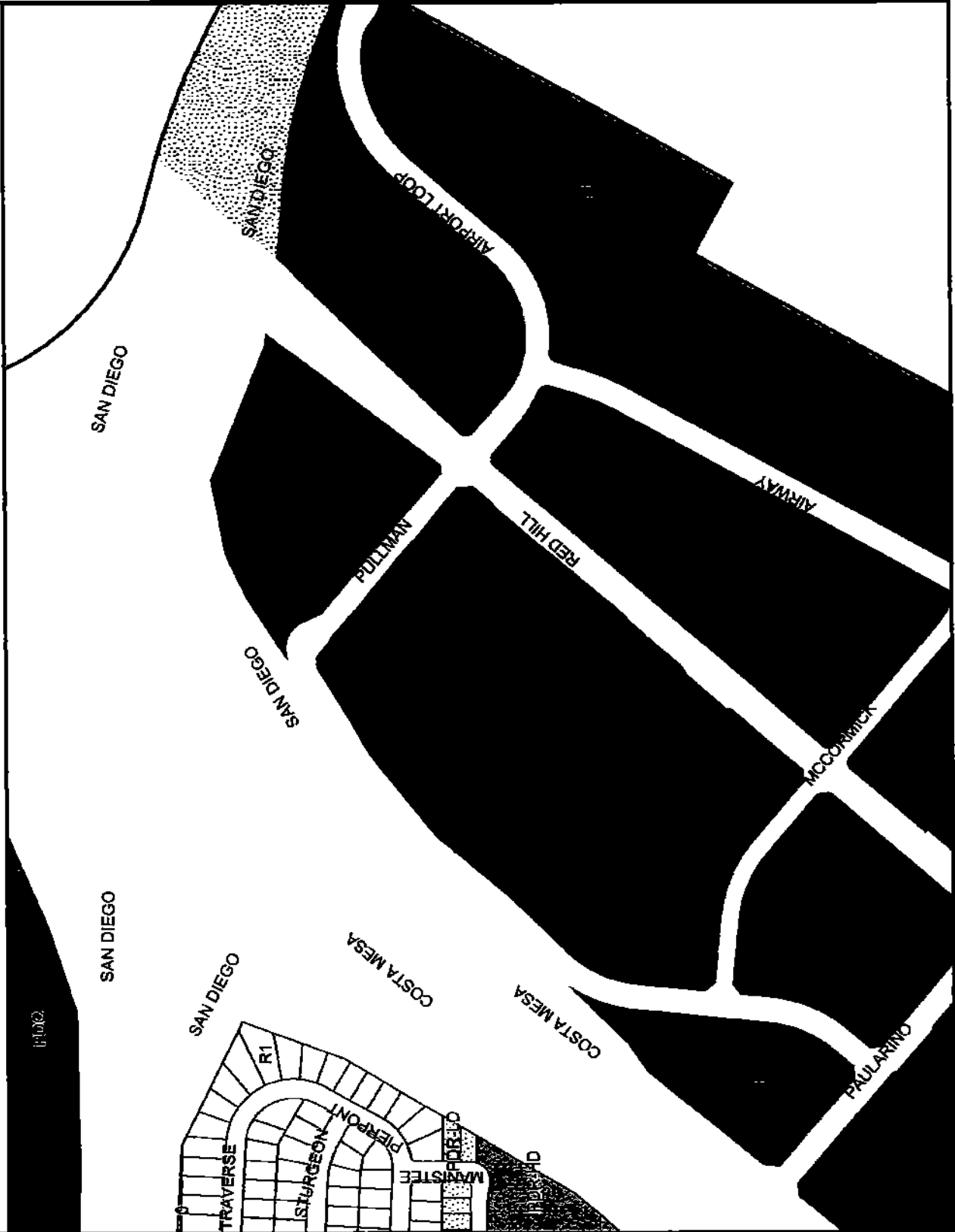
11

# ZONING/LOCATION MAP

PM-05-109

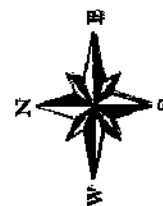
## Legend

- ☐ Selected Features
  - Street Names
  - Parcel Lines
  - City Boundary
  - Zoning
- |                            |    |      |    |    |     |       |    |    |   |     |     |        |        |        |         |    |       |       |    |    |
|----------------------------|----|------|----|----|-----|-------|----|----|---|-----|-----|--------|--------|--------|---------|----|-------|-------|----|----|
| AP                         | C1 | C1-S | C2 | CL | I&R | I&R-S | MG | MP | P | PDC | PDI | PDR-HD | PDR-LD | PDR-MD | PDR-NCM | R1 | R2-HD | R2-MD | R3 | YC |
| Dwelling General           |    |      |    |    |     |       |    |    |   |     |     |        |        |        |         |    |       |       |    |    |
| General Plan Specific Land |    |      |    |    |     |       |    |    |   |     |     |        |        |        |         |    |       |       |    |    |



### Legend

PM-05-109



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# Costa Mesa Fire Department

## Interoffice Memorandum

RECEIVED  
CITY OF COSTA MESA  
DEVELOPMENT SERVICES DEPARTMENT

MAR 21 2005

Date: 3/18/2005

To: Wendy Shih, Associate Planner

From: Thomas R. Macduff, Fire Marshal *TRM*

RE: Red Hill/ Pullman Addressing

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Wendy: Although I like to keep an open mind to new proposals, some standardization is practical and necessary. We have a standard way of assigning addresses that is logical, simple and understood by emergency response personnel. I see no need to vary from it for one development. Moreover, the two proposed plans are illogical and confusing. Plan A with Red Hill and Pullman addresses would only work if the back buildings were on the north-south section of Pullman, which they are not. The Red Hill addresses with the 3200 series behind the 3100 series addresses would send emergency responders over the freeway looking for the 3200 series. Either proposal could cause delayed emergency response.

# **COSTA MESA POLICE DEPARTMENT**

## **MEMORANDUM**

**TO:** Wendy Shih  
Planning Department

**FROM:** Sue Hupp  
Crime Prevention Specialist

**SUBJECT:** 3191 Red Hill Avenue

**DATE:** March 28, 2005

On Wednesday, March 16<sup>th</sup>, I met with the planning staff and Brian Malliet, the developer for the project at 3191 Red Hill Avenue. After reviewing the two addressing plans suggested by Mr. Malliet (3189-3223 Red Hill and 3175-3197 Pullman), the Police Department still feels that a standardized numbering policy should continue to be in effect. This policy has been applied citywide and emergency personnel understand it. Officers, Community Services Specialists, Cadets, General Aides and Volunteers who patrol and/or work within the community rely on the consistency of the numbering system throughout the City of Costa Mesa. By having a consistent numbering system, anyone (no matter what area you work or how new you are) could easily find an address based on the numbering system alone.

In this particular case, having the numbering for the office buildings go beyond 3199 would mean it is north of the 405 Freeway; in reality it wouldn't be. An officer responding Code 3 to a call would automatically assume it would be north of the freeway based on the "City" wide numbering system.

The Police Department is denying their request to extend the address range from 3189-3225 Red Hill and/or using 3175-3197 Pullman as their address. The range we are recommending would be 3189-3199 Red Hill.

  
**SUE HUPP**  
Crime Prevention Specialist